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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of:

M. N. Holten-Andersen et al. ) Confirmation No.: 3408

Serial No.: 09/546,573 ) Art Unit: 1642

Filed: April 10, 2000 ) Examiner: S. L. Rawlings, Ph.D.

For: TISSUE INHIBITOR OF MATRIX METALLOPROTEINASES

TYPE-1 (TIMP-1) AS A CANCER MARKER

MAIL STOP AMENDMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## 3<sup>RD</sup> SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. §§ 1.97 and 1.98, and in compliance with the duty of disclosure set forth in 37 C.F.R. § 1.56, applicants submit attached Form PTO-SB/08A (modified) for consideration and request the documents cited therein be made of record by the U.S. Patent and Trademark Office in the above-captioned application.

Some of the attached documents were cited in the International Search Report dated February 18, 2004 issued in International Application PCT/DK03/00634, copy enclosed, which is listed on the attached form PTO-SB/08A.

Applicants respectfully point out that submission of the listed documents in this 3<sup>rd</sup> Supplemental Information Disclosure Statement is not an admission that they are prior art or that they are material to patentability of any claims of the application. Also, the submission of this 3<sup>rd</sup> Supplemental Information Disclosure is not an indication that a search has been made by Applicants.

For the convenience of the Examiner in considering the cited references, a copy of each of the cited document is enclosed. In considering the cited documents, it

may be noted by the Examiner that certain of the documents may contain markings, underlinings, and/or other notations. These markings, underlinings, and/or other notations are not to be construed as drawing the Examiner's attention either to selected parts or away from other parts of the cited documents. Any such markings were either present on the copies of the cited documents obtained by the associated individuals, or were made thereon during the study of the documents by the associated individuals.

Consideration of the foregoing plus the prompt return of a copy of the enclosed Form PTO-SB/08A with the Examiner's initials in the left column in accordance with MPEP 609 are respectfully requested.

In accordance with 37 CFR § 1.97(c), this 3<sup>rd</sup> Supplemental Information Disclosure is being filed after the first Office Action on the merits, but (i) before the mailing date of a final Office Action for the above-identified patent application; or ii) before the mailing date of a Notice of Allowance for the above-identified patent application. Accordingly, please charge the undersigned's Deposit Account No. 50-0206 for this 3<sup>rd</sup> Supplemental Information Disclosure in the amount of \$180.00 which is being submitted pursuant to 37 CFR §§ 1.17(p) and 1.97(c). However, if any additional fees are incurred upon the filing of this 3<sup>rd</sup> Supplemental Information Disclosure, please charge the undersigned's Deposit Account No. 50-0206.

ATTORNEY DOCKET: 59866.000002

Respectfully submitted,

**HUNTON & WILLIAMS LLP** 

Dated: May 3, 2005

By:

Stanislaus A. Aksman Registration No. 28,562

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FORM PTO-1449 (REV. 7-80)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO.: 59866.000002		SERIAL NUMBER: 09/546,573		
LIST OF MATERIALS CITED BY APPLICANT			APPLICANT(S): M. N. HOLTEN-ANDERSEN et al.					
(Use several sheets if necessary)				FILING DATE: GROUP ART UNIT:				
Page 1 of 1			April 10, 2000		1642	1642		
			U.S. PATENT	DOCUMENT	ΓS			
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAM	1E CLASS	SUBCLASS	FILING DATE	
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	<u> </u>					Yes		
	1.	WO 00/62070	19 10-2000		wo			
	2.	WO 03/087830	23-10-2003		wo			
	OTHER MATERIALS (Including Author, Title, Date, Pertinent Pages, Etc.)							
	<ol> <li>Garrett C. Durkan et al., "Prognostic Significance of Matrix Metalloproteinase-1 and Tissue Inhibitor of Metalloproteinase-1 in Voided Urine Samples with Patients with Transitional Cell Carcinoma of the Bladder", CLINICAL CANCER RESEARCH, vol. 7, November 2001 (2001-11, pages 3450-3456, XP002268767</li> </ol>							
	4. Patent Abstracts of Japan, vol. 1996, no. 09, 30 September 1996 & JP 08-136548A (Morinaga & Co Ltd)							
	5.	International Search Report in PCT/DC03/00634, mailed 2/18/04						
	6. Vincent Leroy et al., "Circulating Matrix Metalloproteinases 1, 2, 9 and Their Inhibitors TIMP-1 and TIMP-2 as Serum Markers of Liver Fibrosis With Chronic Hepatitis C: Comparison with PIIINP and Hyaluronic Acid" AMERICAN JOURNAL OF GASTROENTEROLOGY, 2004 (pages 271-279)							
	7. Copy of filed application for 10/529,479 which is a CIP of 09/546,573, - Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371; Preliminary Amendment; Unexecuted Declaration and Power of Attorney for Patent Application; Application Data Sheet; and Copy of WO 2004/029627 A1.							
EXAMINER DATE CONSIDERED								
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not i conformance and not considered. Include copy of this form with next communication to applicant.